

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3521-04
Bill No.: Perfected HCS for HBs 946, 1106, and 952
Subject: Transportation: Transportation Dept.
Type: Original
Date: February 25, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Highway Fund	\$0 to (\$1,057)		
Total Estimated Net Effect on <u>All</u> State Funds	\$0 to (\$1,057)	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of House of Representatives** stated this proposal would have no impact on their agency.

Officials from the **Office of the Senate** stated the proposal would have no impact or minimal costs which could be absorbed within existing appropriations.

Officials from the **Department of Transportation (DHT)** indicate they will require an additional part-time Senior Clerk position to work 1,000 hours annually. The Senior Clerk would enter real estate data into the system and provide monthly, quarterly and annual data reports. The hourly salary for a senior clerk is \$11.72. Therefore, the cost for this part-time position will be \$11,720 (1,000 hours X \$11.72) plus associated fringe benefits. The new part-time Senior Clerk would require a computer and software.

Currently, DHT has approximately \$200,000 for the development of a real estate inventory database application in their budget. However, an additional \$117,000 for a related imaging application would be required to aid in the function of the database.

Based on additional information provided by DHT officials, the inventory database application

ASSUMPTION (continued)

was already in the planning stages and funds are in their budget. **Oversight** assumes that additional equipment and personnel will be requested through the normal appropriation process and that the additional reporting requirements of this proposal can be done within existing resources already in place or planned.

MoDOT officials assume their agency could be fiscally impacted by the following amendments to this legislation:

Amendment 1 to Part IV:

MoDOT assumes this provision would increase its area of control over outdoor advertising from primary routes and interstates to all state highways. This would require hiring two additional Outdoor Advertising Specialists. **Oversight** assumes that staffing expenditures related to its increased controls over outdoor advertising would not exceed revenue generated from application fees. For example, MoDOT could contract with county officials to collect fees and inspect the signs in exchange for a portion of MoDOT's application fee.

MoDOT assumes this provision could lead to the loss of \$46 million in federal highway funds as a result of non-compliance with federal regulations regarding outdoor advertising. **Oversight** assumes that such an outcome is speculative and that the state would remain in compliance.

Amendment 2 to Part IV:

MoDOT assumes this provision would increase its area of control over outdoor advertising. **Oversight** assumes violations of this prohibition, being a Class C Misdemeanor, would be enforced by law enforcement agencies and the courts.

Amendment 1 to Part VI:

MoDOT assumes that it could be responsible to pay for signage marking the "Thomas G. Tucker, Jr. Memorial Highway," as no other financing arrangements are listed in this amendment. MoDOT estimates that cost to be as much as \$754, if outside funding is not secured.

Amendment 3:

MoDOT assumes that this provision allows heavier trucks to travel certain highways in Missouri, and is unable to estimate the amount of additional deterioration such trucks would create and the related cost. **Oversight** assumes that additional costs for such deterioration would be minimal.

Amendment 6:

MoDOT assumes that it will be responsible to pay for signage marking the "James W. Minton, Jr. Memorial Highway," as no other financing arrangements are listed in this amendment.

ASSUMPTION (continued)

MoDOT estimates that cost to be \$303, if outside funding is not secured.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
<u>Highway Fund–Cost to MoDOT</u>			
Signs for named highways	<u>\$0 to (\$1,057)</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal requires that beginning August 28, 2004, two members of the Highways and Transportation Commission, one from each opposing political party, who have the most seniority in commission service will be elected by the commission, one to serve as chair and the other as vice chair. Effective March 1, 2005, the commission will then elect for a one-year term a chair and vice chair from the two members, one from each opposing political party, who have the most seniority in commission service. At the end of the one-year term, the chair and vice chair will switch their positions. Thereafter, the commission leadership will continue to rotate accordingly. Reappointed members may only serve as chair or vice-chair during the final two years of the reappointment.

The proposal contains provisions for filling vacancies due to removal, death, or resignation, or refusal to serve in leadership positions.

DESCRIPTION (continued)

Additionally, this proposal directs the Director of the Department of Transportation to select and fix the salary of a Chief Counsel for the Department of Transportation. Currently the State Highways and Transportation Commission selects the Chief Counsel.

This proposal requires that annual report to the Joint Committee on Transportation include an inventory of the property under review for disposal and land necessary for future use that is owned by the Department of Transportation and a description of all real estate transactions by the department for the preceding state fiscal year. This information will include the date of each transaction, the source of revenue used, and the allocation of any income produced by the real estate.

This legislation contains provision regulating the placement of business advertising signs located along state roadways. It also prohibits adult cabarets and sexually-oriented businesses from advertising on billboards or other exterior signs within one mile of any state highway, unless the business itself is located within one mile of the state highway, in which case signs may be displayed on the premises, the size and content of which are regulated. Signs not conforming to these requirements at the time of adoption of this act may be allowed to remain but must conform within three years from August 28, 2004. Such businesses cannot allow anyone under age 21 to physically put up any of their signs or billboards.

This act amends commercial zone restrictions to allow vehicles to operate at a greater weight and height by extending the Kansas City commercial zone.

This act increases the amount of administrative service fees third-class may impose upon county road and bridge funds, county park funds, and any specific capital improvements funds from 3% to 5%. Also included is a requirement that any petition to disincorporate a road district be presented to a county commission or similar authority. Such a petition must be signed by the lesser of 50 or a majority of the registered voters residing within the district.

This act names the following portions of roadway:

- U.S. Route 67 in St. Francois County between State Route 8 in Desloge and State Route 32 in Leadington the as the “Deputy Steven R. Ziegler Memorial Highway,” with funds for signage provided by private donations.
- State Route 51 in Perry County from Interstate Highway 55 to U.S. Highway 61 as the “Thomas G. Tucker, Jr. Memorial Highway.”
- Interstate 70 in west-central Missouri as the “U.S. Submarine Veterans’ Memorial Highway,” with funds for signage provided by the Submarine Veterans’ Association.

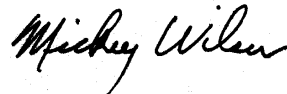
DESCRIPTION (continued)

- State Route 364 in St. Louis County from Interstate 270 to the Veterans' Memorial Bridge as the "Buzz Westfall Memorial Highway."
- The U.S. Route 249 bypass in Jasper County from Newman Road to U.S. 171 as the "Earl Carr Memorial Highway," with funds for signage provided by the City of Joplin.
- The portion of U.S. 71 from Iris Road to State Highway 86 in Newton County as the "James W. Minton, Jr. Memorial Highway."

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Transportation
Office of House of Representatives
Office of the Senate



Mickey Wilson, CPA
Director
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